

Order

Michigan Supreme Court
Lansing, Michigan

November 22, 2019

Bridget M. McCormack,
Chief Justice

159691

David F. Viviano,
Chief Justice Pro Tem

CITY OF DEARBORN,
Plaintiff/Counterdefendant-
Appellee,

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

v

SC: 159691
COA: 339704
Wayne CC: 15-012788-CH

BANK OF AMERICA,
Defendant/Cross-Defendant-
Appellee,

and

WEST DEARBORN PARTNERS LLC,
Defendant/Counterplaintiff/
Cross-Plaintiff-Appellant.

On order of the Court, the application for leave to appeal the February 12, 2019 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the federal bankruptcy court's October 5, 2011 order extinguished the appellant's interest in Parcel C; (2) whether Bank of America's filing of a discharge of the mortgage in 2015 impacted any interest the appellant had in Parcel C at that time; and (3) whether the equitable arguments raised by the appellant require the reversal of the Court of Appeals opinion. In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). Appellee City of Dearborn shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 22, 2019

Clerk